



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,439	01/22/2002	Jens Friedrichs	A-3259	5386

7590 08/11/2003

LERNER AND GREENBERG, P.A.
PATENT ATTORNEYS AND ATTORNEYS AT LAW
Post Office Box 2480
Hollywood, FL 33022-2480

EXAMINER

WILLIAMS, KEVIN D

ART UNIT PAPER NUMBER

2854

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/054,439

Applicant(s)

FRIEDRICHS ET AL.

Examiner

Kevin D. Williams

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Gelinas (US 5,186,103).

Gelinas teaches a rotary printing machine comprising an adjusting device for adjusting a sheet transport cylinder 11 depending upon various printing-material thicknesses (col. 2, lines 34-36; col. 9, lines 19-24), comprising a mounting support 9,22 for mounting a sheet transport cylinder 11 so that a rotational axis of the sheet transport cylinder is adjustable from a first axial position which corresponds to a given printing-material thickness to a second axial position which corresponds to another printing-material thickness and is axially parallel to said first axial position, said mounting support at least one eccentric bearing 30'.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stein (US 5,983,795) in view of Gelinas.

Stein teaches a rotary printing machine comprising a sheet transport cylinder 6 disposed between another sheet transport cylinder 7 and an impression cylinder 5, said rotational axis of the sheet transport cylinder in a first axial position extends axially parallel to an axis of rotation of an adjacent impression cylinder 5, and an angle determined by the axis of rotation of the sheet transport cylinder 6 and axes of rotation of other sheet transport cylinders 5,7 adjacent the first mentioned sheet transport cylinder.

Stein does not teach an adjusting device for adjusting the sheet transport cylinder depending upon various printing-material thicknesses, comprising a mounting support for mounting the sheet transport cylinder so that a rotational axis of the sheet transport cylinder is adjustable from a first axial position which corresponds to a given printing-material thickness to a second axial position which corresponds to another printing-material thickness and is axially parallel to said first axial position, said mounting support comprising at least one eccentric bearing having an eccentricity, a movement path described by an axis of rotation during an adjustment thereof from said first to said second axial position corresponds to a line which determines a change in cylinder nips which in terms of size is effected at least approximately to the same mutual extent where said nips are formed by the sheet transport cylinder together with adjacent cylinders, where a rotational axis of the sheet transport cylinder in a second

position is parallel to an axis of rotation of an adjacent impression cylinder, where adjusting directions lie at least approximately on a bisector of the angle determined by the axis of rotation of the sheet transport cylinder and axes of rotation of other sheet transport cylinders adjacent to the first-mentioned sheet transport cylinder.

Gelinas teaches an adjusting device for adjusting a sheet transport cylinder 11 depending upon various printing-material thicknesses (col. 2, lines 34-36; col. 9, lines 19-24), comprising a mounting support 9,22 for mounting the sheet transport cylinder so that a rotational axis of the sheet transport cylinder is adjustable from a first axial position which corresponds to a given printing-material thickness to a second axial position which corresponds to another printing-material thickness and is axially parallel to said first axial position, said mounting support comprising at least one eccentric bearing 30' having an eccentricity, a movement path described by an axis of rotation during an adjustment thereof from said first to said second axial position corresponds to a line which determines a change in cylinder nips which in terms of size is effected at least approximately to the same mutual extent, where adjusting directions would lie at least approximately on the bisector of the angle determined by the axis of rotation of the sheet transport cylinder of Stein and axes of rotation of other sheet transport cylinders of Stein adjacent to the first-mentioned sheet transport cylinder.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Stein to have the adjusting device as taught by Gelinas, in order to accurately and efficiently transport printing materials of varying thicknesses.

Response to Arguments

5. Applicant's arguments, see paper No. 8, filed 5/27/2003, with respect to the rejection(s) of claim(s) 1-7 under 35 USC §§ 102, 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Gelinas. In the arguments filed 5/27/2003, applicants indicate that there are two types of cylinders in printing presses, namely ink transport cylinders and sheet transport cylinders.

Applicants stated that ink transport cylinders include form cylinders and blanket cylinders and that sheet transport cylinders include impression cylinders and drums provided between impression cylinders. Applicants further stated that the instant invention is directed to a sheet transport cylinder and not an ink transport cylinder. Gelinas teaches a sheet transport cylinder that is adjustable from a first position to a second position to accommodate printing materials of varying thickness. The rejection under 35 USC § 103 substitutes the adjustable sheet transport cylinder of Gelinas for a nonadjustable sheet transport cylinder in the Stein reference.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin D. Williams whose telephone number is (703) 305-3036. The examiner can normally be reached on Monday - Friday, 8:30am - 6:00pm.

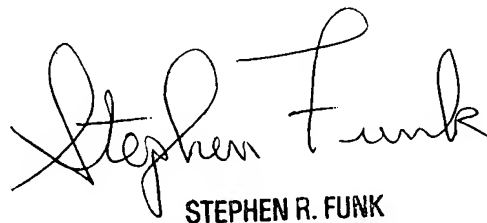
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (703) 305-6619. The fax phone

Art Unit: 2854

numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

KDW
July 31, 2003



STEPHEN R. FUNK
PRIMARY EXAMINER